

REMARKS

Favorable reconsideration of this application is respectfully requested.

Claims 1-12 are pending in this application. Claims 1-12 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. 2004/0064380 to Hiratsuka in view of U.S. 5,805,699 to Akiyama et al. (herein "Akiyama"). That rejection is traversed as now discussed.

As discussed in further detail below, applicants submit the outstanding rejection is in error as neither of the applied art to Hiratsuka nor Akiyama discloses or suggests acquiring medium identifying information specific to and characterizing a recorded-contents-carrying original recording medium. Such a medium in the claims as written carries the original contents, and is not a medium to which original contents are to be copied, but instead is the medium that includes the original contents.

In further detail, the claims recite a controller or operation to acquire medium identifying information specific to and characterizing a recorded-contents-carrying *original recording medium*. The Office Action does not appear to be properly considering that such a feature is directed to acquiring information of an *original recording medium*.

In further detail, independent claims 1 and 11 recite:

a controller configured to acquire medium identifying information specific to and characterizing a recorded-contents-carrying *original recording medium*; [Emphasis added].

Independent claim 9 recites:

a transmission/reception section that receives medium identifying information specific to and characterizing a recorded-contents-carrying *original recording medium* . . .  
[Emphasis added].

Independent claim 10 recites:

a copying-related combination information receiving operation receiving medium identifying information specific to

and characterizing a recorded-contents-carrying ***original recording medium*** . . . . [Emphasis added].

Independent claim 12 recites:

a medium identifying information acquiring operation  
acquiring medium identifying information specific to and  
characterizing a recorded-contents-carrying ***original recording medium***; [Emphasis added].

The above-noted features are directed to acquiring information that characterizes an ***original recording medium***. Such a medium is for example a DVD or CD that includes the ***original*** contents data. Applicants submit the applied art does not disclose or suggest such features.

With respect to the above-noted feature, the outstanding Office Action now cites Akiyama and particularly at column 4, lines 12-14.<sup>1</sup> At that portion, Akiyama discloses “the storage medium identifier reading means 4 reads out a storage medium identifier recorded in the ***target*** storage medium 3” (emphasis added). That disclosure in Akiyama is directed to identifying a ***target*** storage medium 3. Such a ***target*** storage medium 3 in Akiyama is ***not*** a “recorded-contents-carrying original recording medium”. The medium in the claimed invention is the medium that includes the ***original contents***. Akiyama is not directed to such a device as instead Akiyama is directed to a ***target*** storage medium 3 to which original contents are copied.

Thereby, the outstanding rejection is in error as Akiyama does not disclose or suggest the above-noted features recited in each of independent claims 1 and 9-12.

Applicants further submit the outstanding rejection is further in error in the way the teachings in Hiratsuka and Akiyama are attempted to be combined.

More specifically, according to the claims as written, a combination of the above-discussed medium identifying information characterizing a recorded-contents-carrying

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<sup>1</sup> Office Action of May 12, 2010, page 6, paragraph 13j.

original recording medium and an apparatus identifying information specific to and indicating a contents copying apparatus itself are utilized to control an operation of copying contents. Applicants submit the applied art does not disclose or suggest such a combination of features.

The outstanding Office Action cites Hiratsuka as the primary reference to disclose sending an apparatus number of different computers to a server, see for example Hiratsuka at paragraph [0018].<sup>2</sup> Hiratsuka in that respect discloses each of users USa, USb having a user ID utilized to install a personal computer application into one of the computers PCa1, PCa2. Hiratsuka thereby discloses utilizing two pieces of information, namely a user ID and an apparatus number of a computer, to control downloading of information. Hiratsuka does not disclose or suggest requiring any additional information of an original contents recording medium also being utilized to control a copying operation.

Akiyama also in that respect does not disclose or suggest utilizing an original recording medium identification to control the copying operation. Akiyama also does not disclose or suggest even the cited information directed to the target medium being utilized with any other information, and particularly with information indicating a contents copying apparatus itself, to control a copying operation.

Thereby, the combination of teachings of Hiratsuka in view of Akiyama also does not suggest the additional claimed features noted above.

In view of the foregoing comments, applicants submit the claims as currently written positively recite features neither taught nor suggested by Hiratsuka in view of Akiyama, and thereby the claims as written are allowable over Hiratsuka in view of Akiyama.

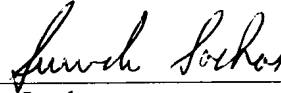
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<sup>2</sup> Office Action of May 12, 2010, page 2, paragraph 13a.

As no other issues are pending in this application, it is respectfully submitted this application is in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

Respectfully submitted,

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